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OCT 10 2001

3 These are the comments of Barbara Dugan,
4 B-A-R-B-A-R-A, D-U-G-A-N, and Kenneth, K-E-N-N-E-T-H,
5 Dugan.

6 "We're against the storage and transportation of
7 the radioactive waste in and to Yucca Mountain. The funds
8 spent on the repository at Yucca Mountain should have been
9 spent on developing alternative means of completely using
10 up the waste. There have been tests showing this can be
11 done, so why waste money for trying to store hazardous
12 radioactive waste? Plus if it is so safe to transport the
13 stuff, why move it?

14 "The attack on the Twin Towers in New York City
15 shows that terrorists can do damage wherever they please.

16 "Transporting spent radioactive waste through
17 populated areas will be a prime target. No matter how
18 much security is provided and no matter how safe they say
19 the containers are, nothing is fool proof. So find a way
20 to use up the waste that other people create and do not
21 dump it in our laps.

22 "If the railroad was to go through Crescent
23 Valley, Heaven forbid, our property values will definitely
24 deteriorate, having hazardous radioactive waste

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1 transversing our valley with its high water table.

2 "The railroad right of way would also eliminate
3 private land which is occupied by senior citizens wanting
4 a peaceful area to retire to.

5 "On a personal note, the design for the railroad
6 track will eliminate the road that we have used for over
7 20 years to go and cut firewood, which is our source of
8 extra income.

9 "There are so many negative items against the
10 storage and transportation of waste at Yucca Mountain with
11 earthquakes, train derailments, soil and water
12 contamination, taking of people's properties and the
13 impact on the health and well being of humans and
14 wildlife, the transportation and storage of nuclear waste
15 is unnecessary."

16 Now these are my comments and my comments as a
17 resident of Nevada, not representing Eureka County,
18 although I think I can make them for Eureka County and
19 they wouldn't object.

20 I went to the September 5 Las Vegas hearing. I
21 stayed until 2:15 a.m. for the whole thing and I'm not
22 over it yet, and I don't mean the lack of sleep. I was --

23 I haven't been really offended by anything that the
24 Department of Energy has done in a long time because I
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1 think I've just gotten used to it but this really took me
2 over the edge.

3 The thing that offended me so much was that the
4 department preregistered people to speak and did not let
5 the general public know that preregistration was available
6 and clearly let pro-nuke, their pro-nuke buddies know that
7 it was available.

8 Because of the first nine speakers six of them
9 were pro-dump and I think two or three of them were from
10 out of state.

11 There were people at that hearing that came from
12 work and that were going to work, that got baby-sitters,
13 that brought the kids. These were regular working people
14 who came genuinely wanting to tell the Secretary of Energy
15 what they thought about the project.

16 The DOE did not have the forethought or the
17 planning or the courtesy to make it possible for them to
18 be heard in an open forum.

19 For those of you that weren't there, they had a
20 separate room with a court reporter so that the people who

21 had to leave could go and talk to the court reporter in a
22 private room.

23 There were people there. They were just regular
24 people. This doesn't happen that often in Las Vegas.

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1 They actually came and actually wanted to have their say
2 and they had to sit there and listen to someone who was
3 imported from Oakridge, Tennessee, to talk about the
4 pro-nuke point of view from the national point of view.

5 In the Nuclear Waste Policy Act it says that the
6 Section 114, says that the secretary shall have these
7 hearings to let the residents in the vicinity of the site
8 know that the site is under consideration and to take
9 their comments.

10 Certainly Oakridge, Tennessee, is not in the
11 vicinity of the site. I just thought that was so poorly
12 handled and so irresponsible and, frankly, so insecure
13 that the Department of Energy had to essentially stack the
14 deck to make sure or try to make sure that they got the
15 good headlines.

16 The project ought to be able to stand on its own
17 two feet and take a few tomatoes and still be a project
18 that is defensible. Shouldn't have to bring in people

19 from all over the country from the nuclear power
20 organizations to take all the limelight and glory. It was
21 supposed to be to listen to regular people.

22 I believe that the department and the Secretary
23 feel that the 29 mini hearings are remedying that, in
24 addition to the availability of the court reporter at the
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1 science center in Las Vegas and the other places.

2 The second thing that offends me is the way the
3 hearings were announced. A lot of times the federal
4 government will say: Didn't you see it in the Federal
5 Register? It was there. And we say we don't get the
6 Federal Register out here easily and it is not something
7 we read on a daily basis like we read a newspaper or
8 whatever.

9 And this time the hearings were not efficiently
10 noticed in the register, the Federal Register, until the
11 first day that they started. I mean that's just
12 unacceptable. I mean you are not even playing by your own
13 rules.

14 That's why Eureka County asked for a real
15 hearing, just one real hearing. That's all we want, one
16 real hearing.

17 I sort of switched from Eureka County to me

18 there.

19 The third thing that I just find unconscionable

20 is the fact that in the middle of this process the

21 Department of Energy is choosing to rewrite the siting

22 guidelines, changing the rules in the middle of the game

23 so that instead of having a system, the guidelines that

24 were adopted in 1983 have qualifying and disqualifying

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1 conditions.

2 If science finds that the ground water travel

3 time is going to be less than 1,000 years, I think is what

4 it says, then the site is disqualified.

5 If the facts find that the site is in conflict

6 with other federal facilities, then that is a

7 disqualifying condition.

8 DOE is rewriting those guidelines so that that

9 system is not going to be used any more now that we're

10 this far down the road and instead it's a system -- the

11 best analogy is pass/fail versus grade point average.

12 The old system, if you fail a course, you fail.

13 The new system, if you fail a course but you got a couple

14 of C's and a B minus, you average it out and you pass.

15 That's the difference. That's wrong. That is just flat
16 wrong.

17 The other thing that's just flat wrong -- and it
18 feels good to get this off my chest. Thanks for
19 listening.

20 Now that Yucca Mountain clearly is a very bad
21 site geologically and hydrologically and you can't tell
22 that by listening to the Department of Energy and what
23 they say, you can tell that because 95 percent of the
24 confidence quote-unquote that they have in the site is on
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1 the canisters that would be put in the ground and only
2 5 percent is in reliance on the mountain.

3 Now that means that there is a whole bunch of
4 issues related to what they are making the canister
5 materials out of and whether we have confidence that those
6 materials are going to last or not. That's a whole
7 'nother issue.

8 Let's go back to the beginning. Only 5 percent
9 of the confidence is in the mountain. Supposedly the
10 mountain was going to be the strong part of this and now
11 it's not. It's almost as if they are in a parallel
12 universe where everything is fine and it's going to be

13 okay.

14 Now let's go back to the hearings. They have
15 had 14 years to prepare for site consideration hearings.
16 It's in the Nuclear Waste Policy Act, the Amended Act from
17 1987, 14 years to prepare. They chose to do only three
18 hearings only in a very, very, very close vicinity of the
19 site. They wanted to check off the box and get it over
20 with. They did such a bad job and now they are doing the
21 mini hearings. So it goes.

22 It does not give me confidence that the site is
23 going to be safe, that the Department of Energy can handle
24 this if they can't even do a reasonable straightforward
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1 fair job of public participation. And I think it's been,
2 you know, it's a huge mistake that they weren't willing to
3 do the kind of pretty good job that you guys did with the
4 Draft Environmental Impact Statement where you actually
5 came out here and had a real hearing. You went a lot of
6 places and had real hearings.

7 The results are still waiting, as Bill Leppala
8 said. What do you think about what we said? We still
9 don't know. There is no reply.

10 At least you did a fairly decent job with that.

11 This other thing, it's an insult. And it's just wrong.

12 It's bad government.

13 Final point that I just want to bring out is

14 something that's changed since September 11th is that

15 there is more interest on the national level in I think

16 looking at the defense part of DOE and the defense network

17 overall to look at consolidation of some vulnerable

18 materials such as plutonium.

19 My personal opinion is that if a rail line were

20 built that we would not just be looking at high level

21 radioactive waste shipments to Yucca Mountain and the

22 empty rail casks back, that we would be looking at lots

23 and lots of low level waste and maybe even some non-low

24 level waste that would be shipped and it could almost, in

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1 my opinion, dwarf the shipments of high level waste if you

2 look at a real plan of consolidation.

3 I think that a lot of things will be done in the

4 name of national security that weren't done before.

5 So I think that all of that should be part of

6 the plan, should be part of the big picture along with

7 national transportation planning, along with factoring in

8 the private fuel storage facility at Goshute. There is

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Crescent Valley, Nevada Public Meeting

- 9 the whole big picture that's not being looked at. Site
- 10 characterization, site recommendation shouldn't be Yucca
- 11 Mountain, it should be the big picture. Thank you for
- 12 listening. I feel a little better.